IN THE CLAIMS:

Amend the claims as follows:

1. (Currently Amended) A method for expressing in a non-monocotyledonous plant or plant cell a nucleic acid operably linked to a regulatory sequence, wherein said regulatory sequence is selected from:

(i) SEQ ID NO:1,

(ii) a functional fragment of SEQ ID NO:1, or

(iii) a functional variant of SEQ ID NO:1, wherein said functional variant hybridizes to SEQ ID NO:1 under stringent conditions,

said method comprising the introduction of said nucleic acid operably linked to said regulatory sequence into a non-monocotyledonous plant or plant cell, and wherein said regulatory sequence drives expression of said nucleic acid ~~Use of an isolated regulatory nucleic acid sequence comprising a regulatory sequence as represented in SEQ ID NO 1 or a functional fragment or a functional variant thereof, for driving expression of an associated nucleic acid sequence in a non-monocotyledonous plant or plant cell~~.

2. (Currently Amended) A method for expressing an endogenous nucleic acid in a non-monocotyledonous plant or plant cell, which method comprises introducing into this plant or plant cell a regulatory sequence selected from:

(i) SEQ ID NO:1,

(ii) a functional fragment of SEQ ID NO:1, or

(iii) a functional variant of SEQ ID NO:1, wherein said functional variant hybridizes to SEQ ID NO:1 under stringent conditions,

such that the regulatory sequence is operably linked to said endogenous nucleic acid sequence, and wherein said regulatory sequence drives expression of said endogenous nucleic acid. ~~Use of an isolated regulatory nucleic acid sequence according to claim 1, wherein said associated nucleic acid sequence is an isolated nucleic acid sequence or a nucleic acid sequence endogenous to the host cell in which said isolated regulatory nucleic acid sequence is introduced.~~

3. (Currently Amended) A non-monocotyledonous plant cell comprising or having stably integrated into its genome a recombinant nucleic acid as represented in SEQ ID NO 1 or a functional fragment or a functional variant thereof, wherein said functional variant hybridizes to SEQ ID NO:1 under stringent conditions.

4. (Currently Amended) A non-monocotyledonous plant cell according to claim 3, wherein said non-monocotyledonous plant cell is ~~derived from~~ a fodder or forage legume cell, an ornamental plant cell, a food crop cell, a tree cell or a shrub cell, ~~preferably from cotton, potato, tomato, cabbage, sugar beet, soybean, bean, sunflower or peas~~.

5. (Currently Amended) A plant cell culture, callus or a plant ~~consisting essentially or in part of~~ comprising a plant [[cells]]cell according to claim 3.

6. (Currently Amended) A harvestable part, organ, tissue or propagation material of [[a]] the plant cell culture, callus or plant according to claim 5.

7. (Currently Amended) Method for expression of a nucleic acid ~~sequence~~ in a non-monocotyledonous plant or plant cell, said method comprising introducing into said plant or plant cell [[a]] the regulatory sequence represented by SEQ ID NO 1 or a functional fragment or functional variant thereof, wherein said regulatory sequence is

~~capable of driving expression of~~ operably linked to said nucleic acid ~~sequence~~ which is either an isolated or an endogenous nucleic acid ~~sequence~~, and wherein said regulatory sequence drives expression of said nucleic acid.

8. (new) A non-monocotyledonous plant cell according to claim 4, wherein said non-monocotyledonous plant cell is a cotton cell, a potato cell, a tomato cell, a cabbage cell, a sugar beet cell, a soybean cell, a bean cell, a sunflower cell or a pea cell.

9. (new) The method according to claim 1 wherein said stringent conditions comprise hybridization at a temperature of between 60°C and 65°C in 0.3 strength citrate buffer saline containing 0.1% SDS followed by rinsing at the same temperature with 0.3 strength citrate buffer saline containing 0.1% SDS.

10. (new) The method according to claim 2 wherein said stringent conditions comprise hybridization at a temperature of between 60°C and 65°C in 0.3 strength citrate buffer saline containing 0.1% SDS followed by rinsing at the same temperature with 0.3 strength citrate buffer saline containing 0.1% SDS.

11. (new) The non-monocotyledonous plant cell according to claim 3 wherein said stringent conditions comprise hybridization at a temperature of between 60°C and 65°C in 0.3 strength citrate buffer saline containing 0.1% SDS followed by rinsing at the same temperature with 0.3 strength citrate buffer saline containing 0.1% SDS.